

**UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
SPARTANBURG DIVISION**

JANE DOES 1-9,

Plaintiffs,

VS.

COLLINS MURPHY, LIMESTONE COLLEGE, MG FREESITES, LTD., d/b/a PORNHUB.COM and HAMMY MEDIA LTD. d/b/a XHAMSTER.COM,

Defendants.

Case No: 7:20-cv-00947-JD

**LIMESTONE UNIVERSITY'S
MOTION AMEND ANSWER AND
CROSS-CLAIMS**

NOW COMES LIMESTONE UNIVERSITY (incorrectly identified as “Limestone College” and hereinafter referred to as “Limestone”), by and through its undersigned counsel, respectfully moves this Court for leave to amend its Answer and Cross-Claims (ECF No. 103) to Plaintiffs’ Fourth Amended Complaint (ECF No. 99) pursuant to Rule 15(a) of the Federal Rules of Civil Procedure. Specifically, Limestone requests leave to amend the pleadings to add one additional defense under the South Carolina Solicitation of Charitable Funds Act (S.C. Code Ann. Section 33-56-10 *et seq.*). Limestone University is a charitable organization, as defined in Section 33-56-170 of the Solicitation of Charitable Funds Act. Following the commencement of this action, the undersigned counsel was made aware that the plaintiffs’ allegations in this action are governed by the Solicitation of Charitable Funds Act. As such, Limestone University is afforded the immunities and defenses available under the Solicitation of Charitable Funds Act, including the statutory cap on damages set forth in S.C. Code Ann. Section 33-56-180. A copy of the proposed Amended Answer to Plaintiffs’ Fourth Amended Complaint and Cross-Claims against Collins Murphy is attached hereto as Exhibit “1”.

Pursuant to Local Rule 7.04, this motion is supported by an attached memorandum, showing that the deadline to amend pleadings has not passed, the discovery period has not expired, and due to several outstanding motions to dismiss filed by Limestone and Defendant MG Freesites, Ltd., d/b/a Pornhub.com the pleadings are not settled. As such, leave should be granted to allow Limestone to amend its Answer to Plaintiffs' Fourth Amended Complaint.

On these grounds and as set out more fully in the supporting memorandum, Limestone respectfully requests this Court grant it leave to amend its Answer. Pursuant to Local Rule 7.02, the undersigned counsel has conferred or attempted to confer with Counsel for all parties in good faith to resolve the matter contained in the motion, however, was unable to receive consent from counsel for the other parties to this action.

This 25th day of May, 2021.

RAHIMI, HUGHES & PADGETT, LLC

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CERTIFICATE OF SERVICE

This is to certify that a true copy of the foregoing **LIMESTONE UNIVERSITY f/k/a LIMESTONE COLLEGE'S MOTION TO AMEND** has been served on counsel for all via electronic mail to all other counsel of record to ensure delivery to:

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This 25th day of May, 2021

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